BERMUDA.

An ACT yet further to provide Means to ſupply the Deficiency of the Fund eſtabliſhed by an Act, intitled "An Act for "raiſing a Public Revenue for the Support "of the Government of theſe his Majeſty's "Iſlands," and for other Purpoſes mentioned therein.

WHEREAS it is neceſſary to the ſupport of public Credit, that further Aid ſhould be afforded to the Fund eſtabliſhed by the Act, intitled "An Act for raiſing a Public Revenue "for the Support of the Government of theſe "his Majeſty's Iſlands," in order to render the ſame efficient, We, therefore, your Majeſty's moſt dutiful and loyal Subjects the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the firſt Day of *Auguſt* next, until the firſt Day of *Auguſt* which will be in the Year of our Lord One Thouſand Seven Hundred and Ninety, there be a Duty of Sixpence on each and every Gallon of Rum or other ſpirituous diſtilled Liquor which ſhall be retailed, vended, ſold, or expended in theſe Iſlands, and that the ſame be payable Quarterly, that is to ſay, on the firſt Day of *November* next, and the firſt Days of *February*, *May*, and *Auguſt*, in the Year of our Lord One Thou and

Seven Hundred and Ninety, to the Collectors of the ſeveral Pariſhes herein after appointed, and in caſe of refuſal or delay, that the ſaid Collectors be, and they are hereby declared to be ſeverally authoriſed and empowered to levy the ſame by diſtreſs and ſale of the Refuſers or Delayers Goods and Chattels, Lands and Tenements, retaining to themſelves from the Proceeds of every Sale the uſual and accuſtomed Poundage, or a Sum equal to the amount of the Duties levied for, at their option, as a Compenſation for the Trouble incurred in conſequence of ſuch Levy and Sale.

And for the more effectual collecting the ſaid Duty, be it enacted by the Authority aforeſaid, that each and every Perſon holding Rum and any other ſpirituous diſtilled Liquors on the ſaid firſt Day of *Auguſt* next, exceeding five Gallons, ſhall, within forty-eight Hours thereafter give, and upon oath, if required, to the Collector for the Pariſh where ſuch Rum or other ſpirituous diſtilled Liquors ſhall be, a juſt and true Account of all ſuch Rum or other ſpirituous diſtilled Liquors as ſuch Perſon ſhall then have been in poſſeſſion of from and after the ſaid firſt Day of *Auguſt* next, and that each and every Perſon or Perſons who ſhall, from Time to Time, after the ſaid firſt Day of *Auguſt* next, during the continuance of this Act, be poſſeſſed of any Rum or other ſpirituous diſtilled Liquors, by Importation, ſhall, in like manner, render unto the Collector for the Pariſh where ſuch Rum or other ſpirituous diſtilled Liquors ſhall be landed or received, a juſt and true Account of the Number of Gallons, and of the Denomination of each Veſſel containing the ſame.

And be it further enacted by the Authority aforeſaid, that if any Collector ſhall ſuſpect, or be informed, that Rum or any other ſpirituous diſtilled Liquor is in any particular Houſe or Place, which hath not been reported as by this Act is directed, he ſhall have power to take to his aſſiſtance ſuch Perſons as may be neceſſary to the occaſion, and require ſuch Houſe or Place to be opened; and in caſe of refuſal, to open, or cauſe the ſame to be opened by force, provided it be in the Day; and that all unreported Rum, or other ſpirituous diſtilled Liquor which ſhall be found by any Collector, be forfeited, and within ten Days after ſeizure, ſold at public Outcry, the one Half of the Proceeds of which ſhall be to the ſaid Collector and Informer, if any, and the other Half to the ſame uſes as the Duties impoſed by this Act; and that any Perſon

ſummoned,

ſummoned, or required to aid and aſſiſt as above-mentioned, and refuſing ſo to do, ſhall forfeit and pay the Sum of Ten Pounds current Money, to be recovered by the Collector to whom ſuch refuſal ſhall be made.

AND be it alſo enacted by the Authority aforeſaid, that in caſe any Collector ſhall trace any Rum or other ſpirituous diſtilled Liquor to the poſſeſſion of any Perſon who ſhall not have reported the ſame, agreeable to the Preſcription of this Act, and who ſhall neglect or refuſe either to produce the ſame, pay the Exciſe therefor, or point out the manner wherein the ſame has been diſpoſed of, ſo as that the Exciſe may be collected therefor, then, and in every ſuch Caſe, ſuch Collector ſhall be authoriſed and empowered to levy for the Exciſe on all ſuch Rum or other ſpirituous diſtilled Liquors, on the Refuſers and Delayers Goods and Chattels, Lands and Tenements, in the manner herein before preſcribed.

AND be it enacted by the Authority aforeſaid, that the Public Treaſurer ſhall, in the BERMUDA GAZETTE, ſubſequent to each Report, cauſe to be inſerted under his Signature as Public Treaſurer, a Liſt of the ſeveral Quantities of Rum or other ſpirituous diſtilled Liquors imported and exported during the continuance of this Act, with the Names of the Veſſels, the Maſter and Perſon importing and exporting the ſame; and that every Importer be deemed and conſidered liable to the Duty hereby impoſed on Rum or other ſpirituous diſtilled Liquors, ſuch Quantities only excepted as ſhall be by him re-ſhipped or ſold in the Caſk or Veſſel as imported, and then, and in ſuch Caſe only, on Condition that he ſhall, within forty-eight Hours after the Tranſaction, give Notice thereof, in writing, to the Collector of the Pariſh to whom ſuch Rum or other ſpirituous diſtilled Liquors ſhall have been reported; and in caſe of deception or miſinformation in ſuch Notice, the ſaid Importer be ſubject and liable to pay to the ſaid Collector double Duty for all Rum or other ſpirituous diſtilled Liquors, of the ſale or re-ſhipment of which he ſhall have given undue and irregular Notice —And alſo, that any Collector receiving Information of Rum or other ſpirituous diſtilled Liquors, from the Importer thereof, or otherwiſe, having been ſold to a Perſon reſiding in a different Pariſh, ſhall, without delay, notify the ſame in writing to the Collector of the Pariſh where ſuch Purchaſer ſhall reſide, and that he be allowed a reaſonable Charge againſt the Public therefor: Provided always, that if any Duties

hereby

hereby impoſed on Rum or other ſpirituous diſtilled Liquors, be loſt, or not collected through the Neglect or Delay of any Collector whatever, the Collector ſo neglecting or delaying ſhall be ſubject and liable to the payment of ſuch Duties in like manner as if the ſame had been actually collected and received by him; and that each Collector do make an abatement of fifteen Gallons in every hundred Gallons, to be computed from the original Gauge of the Caſk or Veſſel containing Rum or other ſpirituous diſtilled Liquors ſold and expended within theſe Iſlands, as an allowance for waſte, and that no other allowance be made, except in caſe of extraordinary Accident, to be proved by Oath, to the ſatisfaction of the Collector of the Pariſh where ſuch Accident ſhall have happened.

And be it further enacted by the Authority aforeſaid, that every Importer of Rum during the continuance of this Act, ſhall be obliged every Six Months after the Time of Report, or as much ſooner as the ſaid Rum ſhall have been diſpoſed of, to deliver to the Treaſurer a juſt and true Account of the manner wherein the ſaid Rum ſhall have been ſo diſpoſed of, and to whom ſold and delivered, under the Penalty of being liable to pay One Shilling a Gallon on all ſuch Rum as ſuch Importer ſhall not have accounted for, to be recovered by the ſaid Treaſurer, as in Actions of Debt not exceeding Forty Shillings.

And be it further enacted by the Authority aforeſaid, that for each Horſe, Mare, and Gelding, which, on the firſt Day of *October* next ſhall be owned or poſſeſſed by any Inhabitant of theſe Iſlands, there be in like manner paid the Sum of Ten Shillings current Money; and that in default of payment thereof, twenty Days previous Notice being given by Advertiſement in the Bermuda Gazette, the Collectors of the ſaid Tax on Horſes be authoriſed and empowered, and they are hereby declared reſpectively to be fully authoriſed and empowered to levy the ſame by Diſtreſs and Sale of the Goods and Chattels, Lands and Tenements of ſuch Owners and Poſſeſſors neglecting to pay as aforeſaid; and that the Collectors be ſeverally authoriſed and empowered to retain to themſelves from the proceeds of every Sale the Sum of Five Shillings current Money, or a Sum equal to the Amount of the Tax levied for, at their option, as a Compenſation for the Trouble incurred in conſequence of ſuch Levy and Sale.

And be it further enacted by the Authority aforeſaid, that the Maſter or Commander of any Veſſel importing Horſes, Mares, or Geldings,

Geldings, during the continuance of this Act, ſhall, immediately on his arrival in theſe Iſlands, make, and on Oath, if required, a juſt and true Report of the Number of ſuch Horſes, Mares, and Geldings, ſo by him imported, to the Public Treaſurer, and at the expiration of ninety Days thereafter pay unto the ſaid Treaſurer the Sum of Forty Shillings current Money for each and every of the ſaid Horſes, Mares, and Geldings, under pain of being ſubject to the Payment of Five Pounds for each and every of the ſaid Horſes, Mares, and Geldings, which ſhall not be reported and paid for as aforeſaid. Always provided, that ſuch Maſter or Commander be exempt from the payment of the Tax hereby impoſed for all ſuch Horſes, Mares, and Geldings as he ſhall be able to make appear to the ſatisfaction of the Treaſurer aforeſaid ſhall have been actually exported again within ninety Days next after their Importation as aforeſaid.

And be it enacted by the Authority aforeſaid, that the following Perſons be, and they are hereby appointed Collectors of the Exciſe on Rum, and other ſpirituous diſtilled Liquors, Tax on Horſes, Mares, and Geldings, Tax on Free Negroes, Mulattoes and Muſtees, and Tax on Negroes or other Slaves, that is to ſay,

For *St. George's Pariſh*, Mr. John M'Lachlan.
For *Hamilton Pariſh*, Mr. Thomas Wood.
For *Smith's Pariſh*, Mr. Peter Gallagher.
For *Devonſhire Pariſh*, Mr. William Perot.
For *Pembroke Pariſh*, Captain George Robinson.
For *Paget's Pariſh*, Mr. Daniel Astwood.
For *Warwick Pariſh*, Mr. Daniel Gilbert.
For *Southampton Pariſh*, Mr. Francis Dickinson.
For *Sandy's Pariſh*, Mr. James Burrows.

And that the Public Treaſurer ſhall, in the Bermuda Gazette, ſubſequent to the paſſing of this Act, notify the Collectors aforeſaid of their reſpective Appointments, and that ſuch Collectors ſhall, within ten Days thereafter, ſeverally offer and tender themſelves to ſome one of His Majeſty's Juſtices of the Peace for taking an Oath of Office, which each and every Juſtice of the Peace ſo called upon, is hereby authorized and declared to be obliged to adminiſter, in the Words following, to wit,

"I *A. B.* being appointed by an Act yet further to provide "Means to ſupply the Deficiency of the Fund eſtabliſhed by an "Act, intitled "An Act for raiſing a Public Revenue for the

" Support of the Government of theſe His Majeſty's Iſlands," and " for other Purpoſes mentioned therein," Collector of the Duty " on all Rum or other ſpirituous diſtilled Liquors, that ſhall or " may be retailed, vended, ſold or expended during the continuance " of the ſaid Act within ——— Pariſh, in theſe Iſlands; and alſo " a Tax on every Negro or other Slave, Horſe, Mare, or Gelding, " belonging to or poſſeſſed by the Inhabitants of the ſaid " Pariſh, and every Free Negro, Mulatto, or Muſtee, above the age " of Fifteen, and under the age of Sixty Years, reſiding within " the ſame, do ſolemnly ſwear that I will, to the utmoſt of my " Power and Ability, faithfully and impartially diſcharge the " Truſt repoſed in me by the ſaid Act. So help me God."

And be it enacted by the Authority aforeſaid, that for every Negro or other Slave, whether at Sea or on Shore, which on the firſt Day of *October* next, ſhall be owned or poſſeſſed by any Inhabitant of theſe Iſlands, there be brought, delivered and paid to the Collector of the Pariſh where the Owner or Poſſeſſor of ſuch Negro Slave ſhall dwell or reſide, on or before the firſt Day of *December* next, the Sum of Two Shillings; and that for this purpoſe each Owner or Poſſeſſor of any Negro or other Slave, ſhall, on or before the ſaid firſt Day of *October* next, give in, upon Oath, if required, to the Collector of the Tax hereby impoſed on Slaves for the Pariſh where ſuch Owner or Poſſeſſor ſhall reſide, a Liſt of every Negro or other Slave which he or ſhe ſhall then poſſeſs, in any manner or capacity whatever, according to the beſt of his or her Knowledge, under the Penalty of Six Shillings for each Negro or other ſlave whoſe Names ſhall not have been ſo given in, to be recovered by the ſaid Collector, which Oath the Collector aforeſaid is hereby authoriſed to adminiſter without Fee or Reward. And that in caſe of the abſence of any Perſon, being an Inhabitant of theſe Iſlands, when the Monies ariſing by virtue of the Tax by this Law impoſed on Negroes or other Slaves ſhall become due, the Wife or other Perſon entruſted with the care of the Effects of ſuch abſent Perſon, be obliged to pay the Monies due by virtue of the ſaid Tax on Negroes or other Slaves, out of the Effects of ſuch abſent Perſon. And alſo, that in default of payment of any or either of the ſaid Sums (on twenty Days previous Notice being given by Advertiſement in the Bermuda Gazette) the Collectors of the ſaid Tax on Negroes or other Slaves be authoriſed and empowered, and they are hereby declared reſpectively to be authoriſed and empowered to levy the ſame by diſtreſs and ſale of the Goods and Chattels, Lands and

and Tenements of ſuch Owner or Poſſeſſor of Negroes or other Slaves neglecting to bring, deliver, and pay, and give in Liſts as aforeſaid, or either of them. And that the Collectors be ſeverally authoriſed and empowered to retain to themſelves from the Proceeds of every Sale the Sum of Six Shillings current Money, or a Sum equal to the Amount of the Tax levied for, at their option, as a Compenſation for the Trouble incurred in conſequence of ſuch Levy and Sale.

And be it further enacted by the Authority aforeſaid, that the ſaid Collectors ſhall receive at and after the rate of Ten Pounds for every Hundred Pounds which they ſhall pay to the Public Treaſurer, ariſing from the Duty on Rum or other ſpirituous diſtilled Liquors by them collected; and at and after the rate of Five Pounds for every Hundred Pounds which they ſhall in like manner pay from the Taxes hereby impoſed on Negroes or other Slaves, Free Negroes, Mulattoes, and Muſtees, and Horſes, Mares and Geldings, and that the ſaid Collectors ſhall Quarterly, that is to ſay, within ten Days after the ſaid firſt Day of *November* next, and the firſt Days of *February*, *May* and *Auguſt*, in the Year One Thouſand Seven Hundred and Ninety, or at the expiration of their reſpective Offices, if ſooner ended, pay to the Public Treaſurer all Monies by them received for the Duty on Rum or other ſpirituous diſtilled Liquors, impoſed by this Act, the Commiſſion herein before allowed firſt deducted, and within ten Days after the expiration of their reſpective Offices, render unto the ſaid Treaſurer, and upon Oath, if required, a juſt and true Account of Monies ſo received, and from whom; in which Account, in order the better to detect any Error or Omiſſion in the Collection of the ſaid Duty on Rum or other ſpirituous diſtilled Liquors, the Entries ſhall be ſo worded, as to ſhew whether the ſaid Collectors have properly or not availed themſelves of the Notices directed to them in conſequence of this Act, and otherwiſe complied with the Requiſites thereof; and that the ſaid Collectors ſhall ſeverally, on or before the firſt Day of *January* next, in like manner pay to the Public Treaſurer all Monies by them received from the Taxes hereby impoſed on Negroes or other Slaves, Free Negroes, Mulattoes, or Muſtees, and Horſes, Mares and Geldings, the Commiſſion herein allowed firſt deducted, rendering at the Time, and upon Oath, if required, a juſt and true Account of the Monies ſo received, and from whom; all which Accounts, as well reſpecting the Duty hereby impoſed on Rum or

other

other ſpirituous diſtilled Liquors, as the Taxes on Negroes or other Slaves, Free Negroes, Mulattoes or Muſtees, and Horſes, Mares and Geldings, ſhall be depoſited and reſerved in the Treaſurer's Office, for the inſpection of the Legiſlature. And in caſe any ſuch Collector ſhall refuſe or neglect to tender himſelf for qualification in the manner herein before directed, and after qualification fully to comply with the other Requiſites of this Act, he ſhall forfeit and pay for ſuch Offence the Sum of One Hundred and Fifty Pounds current Money, to be recovered by the Public Treaſurer in any Court of Record in theſe Iſlands, by Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

And be it further enacted by the Authority aforeſaid, that as often as it ſhall happen that either of the ſaid Collectors ſhall be rendered incapable of holding his Office by death or otherwiſe, it ſhall and may be lawful for the Commander in Chief for the Time being, by and with the Advice of his Majeſty's Council, to fill up ſuch Vacancy, and every Perſon by him ſo nominated and appointed, ſhall be ſubject to the like Reſtrictions and Penalties as thoſe impoſed on the Collectors herein nominated and appointed.

And be it enacted by the Authority aforeſaid, that from and after the firſt Day of *Auguſt* next, until the firſt Day of *Auguſt* in the Year of our Lord One Thouſand Seven Hundred and Ninety, there be a Duty of Two Pounds Ten Shillings in every Hundred Pounds, on all Houſes, Lands, Goods, Wares, Merchandize, Chattels, and Effects ſold at Auction within theſe Iſlands; thoſe ſold by Execution or belonging to Inſolvent Eſtates only excepted; and that every Perſon who ſhall, during the continuance of this Act, enter on the Sale of any Houſes, Lands, Goods, Wares, Merchandize, Chattels, or Effects, ſubject to the above Duty, ſhall, previous thereto give unto the Public Treaſurer good and ſufficient Security, that the ſame ſhall be particularly reported to him the ſaid Treaſurer, within thirty Days after Sale, and that the Duty impoſed by this Act ſhall be thereupon regularly paid to the ſaid Treaſurer out of the Proceeds of ſuch Sale, One and One Quarter per Cent. being firſt deducted as a Compenſation to the Auctioneer for collecting and paying the ſame, and that any Perſon preſuming to enter on the Sale of Houſes, Lands, Goods, Wares, Merchandize, Chattels, or Effects at Auction, ſubject to the Duty hereby impoſed, without having previouſly given the Security above mentioned

mentioned, ſhall, for every ſuch Offence, forfeit and pay the full Value of the Houſes, Lands, Goods, Wares, Merchandize, Chattels or Effects ſo ſold, to be aſcertained in any manner ſatisfactory to the Court where ſuch Offence ſhall be cognizable.

AND be it further enacted by the Authority aforeſaid, that on or before the firſt Day of *March* next there be paid into the Public Treaſury by the ſeveral Pariſhes in theſe Iſlands, to wit, *St. George's*, *Hamilton*, *Smith's*, *Devonſhire*, *Pembroke*, *Paget's*, *Warwick*, *Southampton*, and *Sandy's* reſpectively, the Sum of One Hundred and Fifty Pounds current Money each; and that for this purpoſe the Veſtry or Aſſeſſors of each of the ſaid Pariſhes for the Time being, be, and they are hereby declared to be ſeverally and reſpectively required, authorized and empowered, having previouſly taken an Oath before ſome one of his Majeſty's Juſtices of the Peace in theſe Iſlands, to proceed with Juſtice and Impartiality to raiſe by Aſſeſſment and Levy, on or before the ſaid firſt Day of *March* next, on the Lands, Houſes, Tenements, Hereditaments, and other Real Eſtate in the ſaid Pariſhes lying and being, (the Real Eſtate of any Widow not exceeding One Hundred Pounds Currency in value only excepted) in ſuch manner and form as to ſuch Veſtry and Aſſeſſors, or a major part of them, may ſeem meet and agreeable to Equity and good Conſcience, the ſaid Sum of One Hundred and Fifty Pounds, and cauſe the ſame to be paid, without any deduction whatever, into the Public Treaſury aforeſaid. And that in caſe of default either wholly or in part, it ſhall and may be lawful for the Public Treaſurer, having given ten Days previous Notice in the BERMUDA GAZETTE, to ſeize any Goods or Chattels, Lands, Tenements, or other Real Eſtate, that may belong to any Perſon or Perſons reſident or being a Freeholder in ſuch Pariſh, to the value of the Sum in arrear and unpaid, with the uſual, cuſtomary and legal Poundage, and other incidental Charges, and to make ſale thereof, due and regular Notice of the Time and Place of Sale being previouſly given in the BERMUDA GAZETTE.—Always provided, that it be in the power of the Perſon whoſe Goods or Chattels, Lands, Tenements, or other Eſtate ſhall be ſo levied on, by application to the Chief Juſtice of theſe Iſlands, to obtain, and ſuch Chief Juſtice is hereby empowered to iſſue an Execution, authoriſing the Provoſt Marſhall General in like manner to levy the Sum paid, with incidental Charges, as above-mentioned, on any other Goods or Chattels, Lands, Tenements, or other Eſtate belonging to the Reſidents or Freeholders in ſuch Pariſh that ſhall be pointed out by the Plaintif, and ſo in ſucceſſion, when and as often as occaſion may require.——And alſo al-

ways provided, that no Goods or Chattels, Lands, Tenements, or other Eſtate be twice levied on, in the poſſeſſion of the ſame Perſon; and that no Goods or Chattels, Lands, Tenements, or other Eſtate, be levied upon which may belong to any Perſon who ſhall be able clearly to make it appear to the Officer about to make the Levy or Sale, that he or ſhe has either paid his or her Proportion of the ſaid Sum, or tendered and offered at any Time previous to the ſaid firſt Day of *March* next, to pay to ſuch Veſtry and Aſſeſſors, or any one or more of them, his or her proportion of the ſame.

And be it alſo enacted by the Authority aforeſaid, that in every Levy to be made by Virtue of this Act, the Overplus, after payment of the Sum levied for, with incidental Charges, be reſtored to the Perſon whoſe Goods or Chattels, Lands, Tenements, or other Eſtate, or either of them, ſhall have been ſo levied on.

And be it further enacted by the Authority aforeſaid, that by every Free Negro, Mulatto, or Muſtee, reſident in theſe Iſlands, and who ſhall, on the firſt Day of *October* next, be above the Age of Fifteen, and under the Age of Sixty Years, there be paid on or before the firſt Day of *December* next the Sum of Six Shillings and Eight-Pence Current Money; and that the ſame, in caſe of neglect or refuſal, be levied by diſtreſs and ſale of the Goods and Chattels of ſuch Free Negro, Mulatto and Muſtee, by the ſaid Collectors, and by them paid to the Public Treaſurer on or before the Time herein before for that purpoſe mentioned and preſcribed.—Always provided, that in caſe of diſpute whether any Free Negro, Mulatto or Muſtee, is of the Age above limitted or not, the burthen of the Proof ſhall lie on ſuch Free Negro, Mulatto or Muſtee, to be determined by ſuch Magiſtrate as the Collector demanding the Tax may ſee fit to apply to on the occaſion.

And be it further enacted by the Authority aforeſaid, that all Monies ariſing by virtue of this Act, whether by Fine, Forfeiture, or otherwiſe, not herein before particularly appropriated, be to His Majeſty, His Heirs and Succeſſors, for and towards ſupplying the Deficiency of the Fund eſtabliſhed by an Act, intitled "An Act "for raiſing a Public Revenue for the Support of the Government "of theſe His Majeſty's Iſlands."

VOTED and paſſed the Aſſembly this 17th Day of *July* 1789, and Ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 18th Day of *July* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 18th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

An ACT for the Eſtabliſhment of a CIVIL WATCH in theſe Iſlands.

WHEREAS the Eſtabliſhment of a Civil Watch, from Experience, has been found to be productive of beneficial effects, We, therefore, your Majeſty's moſt dutiful and loyal Subjects the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that during the continuance of this Act there be one Watch, compoſed of three Men, kept in each Pariſh, as often as the Juſtice or Juſtices in ſaid Pariſh ſhall think proper to direct, being not leſs than once a Week; and in caſe the ſaid Watch ſhould meet with any Obſtruction in the execution of the Duty required of them by this Act, they ſhall then call in the Conſtable that may be neareſt at hand, who is hereby directed and required to give every aſſiſtance and ſupport that he from his Office is enabled to do. Preamble.

A Watch, compoſed of three Men, to be kept in each Pariſh, as often as the Juſtice ſhall direct, being not leſs than once a Week. Conſtables to give aſſiſtance to any Watch meeting with Obſtruction in the execution of their Duty, and requiring the ſame.

AND be it further enacted by the Authority aforeſaid, that every Male white Perſon above the Age of Twenty-One Years, being an Inhabitant of theſe Iſlands, ſhall, and is hereby declared to be obliged to watch, or find a ſufficient Watchman, agreeable to the Direction of this Act;—and that every Widow or ſingle Woman, an Inhabitant of theſe Iſlands, being Miſtreſs of a Family, and owning or poſſeſſing two or more Slaves, ſhall, and are hereby declared to be obliged to find a ſufficient Watchman for the Purpoſes of this Act. Provided always, that any ſingle Man, being an Inhabitant, be not

Every Male white Perſon (an Inhabitant) obliged to watch. Any Widow or ſingle Woman, being Miſtreſs

of a Family, or owning 2 Slaves, obliged to find a Watchman

obliged to find a Watchman during the time ſuch ſingle Man ſhall be abſent from theſe Iſlands, unleſs he ſhall be Owner or Poſſeſſor of one or more Slaves remaining here; in which caſe the Poſſeſſor or Poſſeſſors of ſuch Slave or Slaves ſhall be compelled to find or provide a ſufficient Watchman for ſuch abſent Perſon, and in caſe of failure, that the Penalty herein after-mentioned for not finding a ſufficient Watchman, be raiſed from the Labour and Hire of ſuch Slave or Slaves under Direction of the Magiſtrate.

The Poſſeſſor of a Slave belonging to any ſingle Man, an Inhabitant of but abſent from theſe Iſlands, to find a Watchman for ſuch abſent Perſon.

Penalty, how to be raiſed in caſe of failure.

Penalty on Perſons refuſing to Watch, &c.

And be it further enacted by the Authority aforeſaid, that if any Perſon or Perſons liable by this Act to watch or find a Watchman, ſhall refuſe or neglect ſo to do, he, ſhe or they ſo refuſing or neglecting, ſhall for every ſuch Refuſal, Neglect, or Delay, forfeit and pay the Sum of Two Shillings and Eight-Pence current Money of theſe Iſlands.

Juſtices to take an Account of the Names of the Inhabitants of their reſpective Pariſhes, &c.

And be it further enacted by the Authority aforeſaid, that each Juſtice of the Peace in theſe Iſlands ſhall, and he is hereby empowered and required within thirty Days from the paſſing of this Act, to take an exact Account of the Names of the Inhabitants of their reſpective Pariſhes; and thence make a juſt and true Liſt of ſuch as are obliged by this Act to watch or find a Watchman, diſtributed into Watches as herein before directed, and ſhall deliver ſuch Liſt ſo made out, to the Conſtable or Conſtables of the ſaid Pariſh, at or before the expiration of the ſaid thirty Days, which ſaid Conſtable or Conſtables is, and are hereby required and directed to give to ſuch Perſon whoſe turn, by ſaid Liſt it may be to Watch, at leaſt Eight Hours previous Notice thereof, either to the Party, or ſome white Perſon reſiding in the Houſe where ſuch Perſon ſo to have Notice reſides. And in caſe any Conſtable ſhall neglect or refuſe to do what is required of him by this Act, he ſhall forfeit and pay the Sum of Five Shillings current Money for each and every Default, to be recovered before any Juſtice of the Pariſh where ſuch Conſtable ſhall reſide.

Eight Hours previous Notice to be given by the Conſtable to the Perſon whoſe turn it ſhall be to watch.

Penalty on Conſtables for every Default.

Yearly Allowance of 50s. to each Conſtable (except for the Pariſh of St. George) to be paid by the Churchwardens.

And be it further enacted by the Authority aforeſaid, that in conſideration of the extraordinary Duty required by this Act of the Conſtables, every Conſtable of the different Pariſhes, except the Pariſh of St. George, be allowed the Sum of Fifty Shillings current Money per Year, to be paid him by the Churchwarden or Churchwardens of the reſpective Pariſhes, he firſt producing a Certificate from a Magiſtrate of the Pariſh that the ſaid Conſtable has demean-

ed

ed himſelf properly in the execution of his Office. And that in the Pariſh of St. George the Sum of Four Pounds current Money be by the Magiſtrates and Veſtry or Aſſeſſors diſtributed among the ſeveral Conſtables of ſaid Pariſh, in ſuch manner as they ſhall think moſt agreeable to their Merits, which ſaid Sums ſo payable to the ſaid Conſtables, ſhall be raiſed and aſſeſſed for in like manner as other Parochial Charges.

Certificate of good Behaviour to be previouſly produced.

Four Pounds to be diſtributed by the Magiſtrates and Aſſeſſors of St. George's Pariſh amongſt the ſeveral Conſtables.

To be raiſed as other Parochial Charges.

AND be it further enacted by the Authority aforeſaid, that each and every Watch appointed by this Act, ſhall convene at ſuch Time, and Watch ſo long, as ſhall be by the Magiſtrates of the Pariſh directed between the Hours of nine o'Clock in the Evening and Day Break, and ſhall have power to viſit and ſearch all Negroes Cabbins and other ſuſpected Places of their reſort, and ſhall ſeize any Goods or other Effects whatever that they ſuppoſe to be ſtole, and ſhall report and deliver the ſame to a Magiſtrate of the Pariſh, who is hereby authoriſed and required to take cognizance thereof. And in caſe the entrance of a Watch into any Cabbin or Place of Negroes reſort be refuſed or delayed, it ſhall and may be lawful for ſuch Watch, after application for that purpoſe having been firſt made to the Maſter or Owner thereof, and in caſe of his or her abſence, to any white Perſon being in or about the Dwelling Houſe to which ſuch Cabbin or Place of reſort is appurtenant, to break open the Doors of any ſuch Cabbin or other Place of reſort, that due ſearch may be made.

Duty of Watchmen.

In what Caſes it may be lawful for a Watch to break open the Doors of any Cabbin, or other Place of Negroes reſort.

AND be it further enacted by the Authority aforeſaid, that within Six Months from the paſſing of this Act there be one or more Watch-houſes erected in every Pariſh in theſe Iſlands, at the expence of the Pariſh; the Number and Dimenſions of ſuch Watch-houſe or Watch-houſes to be fixed by the Juſtices and Veſtry or Aſſeſſors, for the reception of all Slaves that ſhall be found Delinquents within the ſaid Pariſh, and that the Expence of erecting ſuch Watch-houſe or Watch-houſes be levied on the Inhabitants of each Pariſh in the like manner as other Parochial Charges; and that a Keeper to each Watch-houſe be elected and choſen in like manner as other Pariſh Officers.

Watch-houſes to be erected in the ſeveral Pariſhes within Six Months,

at the Expence of ſaid Pariſhes reſpectively.

A Keeper to be choſen.

AND be it further enacted by the Authority aforeſaid, that if any Slave or Slaves ſhall be met with from Nine o'Clock in the Evening to Day-break, by the Watch, or any other Perſon or Perſons out of his or her Owners or Poſſeſſors Lands, ſuch Slave or Slaves not having a Ticket in Writing from his, her or their Owner

Any Slave met with in the Night by the Watch or any other Perſon, (without a Ticket from his Owner) to be com-

mitted to a Watch-houſe.

Owner or Poſſeſſor, dated, and expreſſing the Time of his departure, and the Place to which he is ordered, (which Ticket ſhall not be in force but for the preſent Occaſion, except only ſuch Ticket as ſhall be given a Male Negro Slave for the purpoſe of allowing him to viſit the Habitation of his Wife) ſuch Slave or Slaves ſhall be taken into Cuſtody by the Watch, or other Perſon or Perſons aforeſaid, and committed to a Watch-houſe of the Pariſh wherein ſuch Slave or Slaves ſhall be ſo taken up, and that before ſuch Slave or Slaves ſhall be liberated, the Propriety of his, her or their confinement and detention having been previouſly determined on by the Magiſtrate to whom report ſhall be made by the Watch or Perſon apprehending (which Report the Watch or Perſon apprehending are hereby required without delay to make) the Owner of ſuch Slave or Slaves ſhall be obliged to pay to the Keeper of ſuch Watch-houſe the Sum of Two Shillings and Eight-pence for each Slave ſo taken up, of which One Shilling and Four-pence ſhall be retained by the ſaid Keeper to his own uſe, and the remaining One Shilling and Four-pence be given to the Perſon or Perſons apprehending ſuch Slave. And that the ſaid Keeper ſhall be obliged to inflict, or cauſe to be inflicted, on ſaid Slave or Slaves ſo many Stripes as the Juſtice of the Peace taking cognizance of the Offence ſhall direct.

Exception.

Report to be made to a Magiſtrate without delay.

The Owner of every Slave ſo taken up & committed, to pay 2s. 8d. of which the Keeper is to retain one half, and to give to the Perſons apprehending ſuch Slave the other half.

The Keeper obliged to inflict upon ſuch Slave as many Stripes as the Juſtice ſhall direct.

And in order to prevent the Inconveniencies derived by the Deſertion of Slaves from their Owners, be it enacted by the Authority aforeſaid, that if any Slave be found ſo loitering out of the Pariſh where the Owner or Poſſeſſor ſhall reſide, as to juſtify a ſuſpicion of deſertion, and cannot produce a Ticket from which it ſhall clearly appear that ſuch Slave is then in the poſitive Service of his or her Owner or Poſſeſſor, it ſhall and may be lawful for any Perſon whatever to commit ſuch Slave to the neareſt Watch-houſe, where ſuch Slave ſhall be dealt with as before directed in Caſes of Slaves taken up by the Watch.

Every Perſon authoriſed to commit to the neareſt Watch houſe any Slave found loitering out of the Pariſh to which he may belong, in ſuch manner as to juſtify a ſuſpicion of deſertion.

Such Slave to be dealt with as in caſes of Slaves taken up by the Watch.

And be it further enacted by the Authority aforeſaid, that in caſe it ſhall appear to the Watch that any Slave is abſent from the Houſe or Poſſeſſion of his or her Owner or Poſſeſſor, or ſuch other Place as ſuch Slave is permitted and allowed by his or her Owner or Poſſeſſor to reſort to, that then, and in ſuch Caſe the ſaid Watch is hereby ordered and directed to make report of ſuch abſent Slave to a Magiſtrate the next Day, who is hereby empowered to make enquiry into ſuch Offence; and if it ſhall not be

made

made appear to the ſatisfaction of ſuch Magiſtrate that ſuch Slave had good cauſe of abſence, then ſuch Magiſtrate ſhall order ſuch Slave ſo many Laſhes, not exceeding thirty-nine, as he in his diſcretion ſhall think proper. Provided always, that if any Slave ſhall be met with by the Watch, or any other Perſon or Perſons without a Ticket, and ſhall aſſert that he or ſhe is ſent with a Meſſage to a Phyſician or Midwife, or on ſome other emergent Errand; that then the ſaid Watch ſhall permit ſuch Slave to proceed; but if they ſuſpect the truth of his or her Aſſertion, they ſhall then report ſuch Tranſaction to the Magiſtrate the next Day, who is hereby required to take cognizance thereof.

Such Magiſtrate to enquire into the Cauſe of ſuch Abſence, &c.

Any Slave met with, without a Ticket, who ſhall aſſert that he is ſent to a Phyſician, or on ſome other emergent Errand, ſhall be ſuffered to proceed.

Such Tranſaction to be reported to the Magiſtrate, who is required to take cognizance thereof.

AND be it further enacted by the Authority aforeſaid, that in caſe the Watch ſhall refuſe or neglect to apprehend and commit to the Watch-houſe any Slave met with as before deſcribed, or ſhall fail to make report to a Magiſtrate of the Name of any Slave abſent from his or her allowed Place of Reſort, that then each and every Perſon of ſuch Watch ſhall forfeit and pay the Sum of Five Shillings current Money.

Penalty on a Watch neglecting to do what is herein required of them.

AND be it further enacted by the Authority aforeſaid, that every Perſon taking upon himſelf the Office of Jumper, or to puniſh Slaves, ſhall, on every Occaſion, either at the Direction of the Juſtice, or the requeſt of the Owner or Poſſeſſor of any Slave, be obliged to puniſh ſuch Slave; and in default of a Jumper, every Conſtable of theſe Iſlands, being ſo called upon to puniſh any ſuch Slave, ſhall be obliged to give his attendance and inflict puniſhment accordingly. And if it ſhall ſo happen that the Jumper or Conſtable aforeſaid ſhall be called upon by any ſuch Owner or Poſſeſſor of any Slave to puniſh ſuch Slave, and for that purpoſe attending, the Owner or Poſſeſſor ſhall neglect to cauſe the ſaid Slave to be puniſhed, ſuch Jumper or Conſtable ſhall notwithſtanding receive the ſame Fee as if ſuch Slave had been by him actually puniſhed.

Every Jumper, and in Default of a Jumper, every Conſtable, when called upon to puniſh a Slave, obliged to attend and inflict Puniſhmentaccordingly.

If the Jumper or Conſtable ſhall attend to puniſh a Slave and the Owner ſhall neglect to cauſe ſuch Slave to be puniſhed, ſuch Jumper or Conſtable ſhall nevertheleſs receive his fee.

AND be it further enacted by the Authority aforeſaid, that if any Perſon ſhall colluſively write or give a Ticket to any Slave, ſuch Perſon ſo writing or giving a Ticket, ſhall forfeit and pay the Sum of Five Shillings, and the Slave making uſe of ſuch Ticket, ſhall receive thirty-nine Laſhes on his or her naked Back, on conviction of the ſame before a Juſtice of the Peace.

Penalty on a Perſon giving a colluſive Ticket.

Every Watch hearing a disturbance in any neighbouring Pariſh, authoriſed to enter into ſuch Pariſh, &c.

AND be it further enacted by the Authority aforeſaid, that every Watch in theſe Iſlands which ſhall hear an Uproar or Diſturbance in any neighbouring Pariſh, or ſhall otherwiſe ſee cauſe for ſo doing, ſhall, and they are hereby authoriſed and required to enter ſuch Pariſh, and act in the ſame manner as the ſaid Watch is hereby authoriſed to do in its proper Pariſh.

Application of all Fines not before appropriated, and by whom to be recovered.

AND be it further enacted by the Authority aforeſaid, that all Fines and Forfeitures ariſing by virtue of this Act, and not before appropriated, ſhall be recovered by any Perſon or Perſons who ſhall ſue for the ſame; and ſhall go one half thereof to the Perſon or Perſons ſo ſuing, and the other Half to the uſe of the Pariſh where ſuch Fines and Forfeitures ſhall ariſe.

continuation

AND be it further enacted by the Authority aforeſaid, that this Act ſhall be and continue in force for and during the Term of Seven Years from the paſſing hereof, and then to determine and expire.

UNANIMOUSLY paſſed the Aſſembly this 8th Day of *May* 1789, and Ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 9th Day of *May* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 15th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

An ACT for making an Addition to the Act, entitled "An Act for the Eſtabliſh-"ment and Regulation of the Militia of "Bermuda," for the purpoſe of eſtabliſhing a Volunteer Artillery Company from the ſaid Militia in the Town of St. George.

WHEREAS it is eſſential to the common Security that the Service of the Militia ſhould be drawn into every ſtate of Improvement that might be conſiſtent with the Situation of the People, and it has been conceived that the Eſtabliſhment of a Volunteer Artillery Company would have a tendency to render the Operation of the Militia more effectual in the defence of their Country, We, therefore, your Majeſty's moſt dutiful and loyal Subjects the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that the following Articles be hereby added for the Purpoſe, to the Act, entitled "An "Act for the Eſtabliſhment and Regulation of the Militia of Ber-"muda," to be continued in force a long with the ſaid Act, and with the ſame to determine and expire.

ARTICLE I. That it ſhall and may be lawful for the Governor or Commander in Chief for the Time being, to cauſe to be raiſed

raiſed and eſtabliſhed a Volunteer Artillery Company from the Militia of the Town and Pariſh of St. George, to conſiſt of twenty Privates.

ARTICLE II. That there be to the ſaid Volunteer Artillery Company, one Lieutenant to be commiſſioned by the Governor or Commander in Chief for the Time being, and two Serjeants.

ARTICLE III. That the manner of enliſting in the ſaid Volunteer Artillery Company be ſimilar to that affixed to the Troop, and that the ſaid Company be liable to all Fines, Penalties, Conſtraints and Reſtrictions, for the better enforcing of Order and Diſcipline in common with other Militia Companies under the Act, entitled " An Act for the Eſtabliſhment and Re- " gulation of the Militia of Bermuda."

UNANIMOUSLY paſſed the Aſſembly this 8th Day of *May* 1789, and ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 9th Day of *May* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 15th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

An ACT to encourage the Cultivation of CEDAR TREES within the Bermuda Iſlands, and to ſubject the Exportation of Cedar Trees, Timber and Scantling to certain neceſſary Reſtrictions.

WHEREAS the Bermuda Iſlands have been proved to be well adapted to the Growth of Cedar Trees, which are convertible to very beneficial Purpoſes; in order, therefore, to give a due Encouragement to the Cultivation of the ſame, We your Majeſty's moſt dutiful and loyal Subjects the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that every Perſon who ſhall, at any Time between the firſt Day of September next and the firſt Day of September which will be in the Year of our Lord One Thouſand Seven Hundred and Ninety-two, plant in the manner herein after preſcribed, any Number of Cedar Trees, not leſs than Two Thouſand, and duly cultivate the ſame for three Years, on producing to the annual Committee for taxing Demands on the Public a ſatisfactory Certificate from the Magiſtrates, Veſtry or Churchwardens of the Pa-

riſh,

riſh, of the Number of Trees ſo planted and cultivated, ſhall, for every Hundred of ſuch Trees ſo planted and cultivated, be entitled to receive from the Public Treaſury a Bounty at the rate of Eight Shillings and Four-pence, to be provided for in like manner with the ordinary Expences of Government.

And be it further enacted by the Authority aforeſaid, that no Trees whatever ſhall be entitled to the above Bounty, except ſuch as ſhall be planted in the following manner, to wit, the Trees to be planted in a ſingle Row, on each or either ſide of the public Highway, of a Diviſion Line or a Partition Wall, Fence, Rail or Ditch, ſhall be not leſs than Six Feet aſunder every way; and thoſe to be planted in any other Place whatever, not leſs than Fifteen Feet aſunder every way as aforeſaid.

And be it further enacted by the Authority aforeſaid, that no Cedar Tree, Timber or Scantling whatever, of the growth of theſe Iſlands, ſhall, at any Time between the ſaid firſt Day of September next and the firſt Day of September which will be in the Year of our Lord One Thouſand Seven Hundred and Ninety-two, be exported from theſe Iſlands (ſuch ſtraight Pieces or Stump Ends of Trees as ſhall not exceed Nine Feet in length, and ſhall not be leſs than Twelve Inches in diameter at the Head Part thereof, or the End oppoſite the Stump End, only excepted) under pain of forfeiting double the Value of ſuch Trees, Timber or Scantling, ſo exported, to be recovered of the Maſter of the Veſſel exporting the ſame, or the Perſon making the Shipment, by whoever ſhall ſue for the ſame, in any Court of Record in theſe Iſlands, by Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, the one Half of which ſhall be to the Uſes and Purpoſes of the Pariſh wherein the Tranſgreſſion ſhall have been committed, and the other Half to the Perſon ſuing for the ſame.

And be it further enacted by the Authority aforeſaid, that the Public Secretary ſhall not, during the continuance of this Act, clear any Veſſel at his Office having Cedar Trees, Timber or Scantling on Board, until the Maſter of ſuch Veſſel ſhall produce to him a Certificate from under the Hands of the Magiſtrate, Veſtry, or Churchwardens of the Pariſh where ſuch Cedar ſhall be laden

laden for exportation, that ſuch Trees, Timber or Scantling, are really and truly not longer or of leſs diameter than what is herein before directed; and that in caſe of any Diſpute with reſpect to the ſize of any Cedar Trees, Timber or Scantling exported, or about to be exported, ſuch Certificate ſhall be allowed to be concluſive Evidence in any Court whatever in theſe Iſlands.

VOTED and unanimouſly paſſed the Aſſembly this 16th Day of *July* 1789, and ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 17th Day of *July* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 17th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

An ACT for the further Encouragement of the CULTIVATION of LANDS within the BERMUDA ISLANDS.

WHEREAS the Bermuda Iſlands have been, from the want of a due Attention to the Cultivation of Lands, long ſubjected to the neceſſity of drawing their chief Supplies of Bread from Abroad, in order therefore to prevent as much as may be the ill effects of ſo precarious and dependant a State, We, your Majeſty's moſt dutiful and loyal Subjects the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that every Perſon who ſhall, within the ſpace of one Year, during the continuation of this Act, cultivate and raiſe within theſe Iſlands any Quantity of Indian Corn, Peaſe, Beans, Wheat, Barley, or Oats, which when cleaned ſhall amount to thirty Buſhels or upwards, and ſhall prove to the ſatisfaction of the Committee appointed to tax Public Bills, by Certificate from the Magiſtrate, Veſtry, or Churchwardens of the Pariſh, of the growth and cultivation thereof, ſhall be entitled to receive from the Public Treaſury the following Bounties, to be provided for in the like manner with the ordinary Expences of Government, to wit, for every Buſhel of any Quantity exceeding Thirty, aud under Fifty Buſhels, One Shilling; for the firſt largeſt Quantity more than One Hundred Buſhels, Twenty Pounds; for the ſecond largeſt Quantity more than Seventy-five Buſhels, Fifteen Pounds; for the third largeſt Quantity more than Fifty

Buſhels, Ten Pounds; and for every other Quantity more than Fifty Buſhels, and not entitled to any of the foregoing Premiums, Five Pounds. And that this Act ſhall continue in force for the ſpace of Two Years from the firſt Day of July next, and then to determine and expire.

UNANIMOUSLY paſſed the Aſſembly this 7th Day of *May* 1789, and Ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 9th Day of *May* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 15th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

An ACT for an Addition to and Amendment of an Act, entitled "An Act for "ſettling a Yearly Revenue upon the Mi- "niſters of theſe Iſlands," and for declaring Land and Real Eſtate liable to the Payment of Parochial Charges in the Pariſh where it may lie.

WHEREAS from the enhanced Price of the Neceſſaries of Life the Stipend fixed by the ſaid Act, entitled, "An Act for ſettling a Yearly Revenue upon the Mi- "niſters of theſe Iſlands," is rendered leſs equal to the decent Support of the Clergy, than it was at the Time of the paſſing the ſaid Act, We, therefore, your Majeſty's moſt dutiful and loyal Subjects, the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that when and as often as the Inhabitants and Freeholders of any Pariſh in theſe Iſlands, aſſembled in full Pariſh Meeting, in conſequence of proper Notice for that purpoſe to be given, ſhall by Vote, freely and voluntarily fix on the Incumbent of ſuch Pariſh, during his continu-

continuance to hold the living within the ſame, an annual Sum of Money, in addition to the Stipend by the above-mentioned Act, fixed and allowed, and ſuch Vote ſhall be entered in the Pariſh Records, together with the Terms and Conditions, if any, wherein the ſame ſhall be ſo granted, it ſhall and may be lawful for the Veſtry and Aſſeſſors of ſuch Pariſh to provide for and enforce the Payment of ſuch additional Salary in the like manner with other Parochial Charges ; and that in Caſe of Aſſeſſment for any kind of Parochial Charges whatever, the Land or other Real Eſtate lying in any Pariſh in theſe Iſlands, ſhall be rated thereto, whether owned by a Pariſhioner or not.

VOTED and paſſed the Aſſembly this 16th Day of *July* 1789, and ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 17th Day of *July* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 17th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

An ACT for the Preſervation of the ſeveral Harbours in theſe Iſlands, by the Removal of the Hulks, Wrecks and Remains of Veſſels which ſtill continue to lie therein, and pointing out the Mode to be obſerved in the Removal of any Hulks, Wrecks and Remains of Veſſels in future; and for the Prevention of Damage by the improper heaving of Ballaſt, Rubbiſh and Gravel into the ſaid Harbours.

WHEREAS, notwithſtanding the Law heretofore enacted for the Preſervation of the ſeveral Harbours in theſe Iſlands, has been found productive of beneficial Effects to the Public, yet the ſame has been ſuffered to expire,—In order, therefore, to continue the purſuit of ſo laudable a Meaſure, We, your Majeſty's moſt utiful and loyal Subjects the General Aſſembly of theſe your ajeſty's Bermuda or Somers' Iſlands, in America, do moſt hum- y beſeech your Majeſty that it may be enacted, and be it enacted your Majeſty's Governor, Council, and Aſſembly, and it is reby enacted and ordained by the Authority of the ſame, that e Maſter and Wardens of the ſeveral Ports of St. George, Crow ne and Ely's Harbour, for the Time, ſhall ſeverally and reſpec-

tively have power, when and as often as they ſhall conceive, or complaint ſhall be to them made, that the Hulk, Wreck or Remains of any Veſſel already introduced, or which may hereafter be introduced into any or either of the Harbours within theſe Iſlands, is prejudicial or likely to become prejudicial to ſuch Harbour, or the Veſſels or Boats reſorting thither, to give Notice thereof to the Proprietor of ſuch Hulk, Wreck or Remains, or the Perſon who introduced the ſame, to remove the ſame within Forty Days; and in caſe of Refuſal or Delay, to cauſe ſuch Hulk, Wreck or Remains, to be removed from ſuch Harbour in the moſt eaſy, cheap and expeditious manner in their power, by breaking up, burning, deſtroying, and converting the ſame to their own uſe, or otherwiſe diſpoſing of the ſame, as ſhall be thought beſt to anſwer the Intentions of this Act, and to demand and have from the Owner or Proprietor of any Hulk, Wreck or Remains of a Veſſel hereafter to be introduced into theſe Iſlands, or the Perſon who ſhall introduce the ſame, the Coſt and Charge of ſuch Removal, together with the Sum of Ten Pounds, as a Compenſation to the ſaid Maſter and Wardens, for their Pains and Trouble on the occaſion, and to recover the ſame in caſe of refuſal in any Court in theſe Iſlands, having power to take cogniZance of ſuch Action, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed. And that in caſe the Hulk, Wreck or Remains of any Veſſel already introduced, and which the Maſter and Wardens ſhall deem prejudicial, and cauſe to be removed, ſhall, on Sale or a fair Valuation, appear to be unequal to the Charge of removing the ſame; or it ſhall happen that the Hulk, Wreck or Remains of any Veſſel which ſhall hereafter be introduced, and removed by the ſaid Maſter and Wardens as aforeſaid, is neither owned nor ſhall have been introduced by any Inhabitant or Reſident of or in theſe Iſlands, or any Perſon who ſhall have Property in theſe Iſlands, which might be attached to defray the Expence of the Removal, then, and in every ſuch Caſe, that the Expence of the Removal of any and every ſuch Hulk, Wreck or Remains of a Veſſel, be defrayed and borne by the Public, the Quantum thereof being firſt aſcertained by the Committee for taxing Public Bills.

And Whereas the ſeveral Harbours within theſe Iſlands have been, in ſome meaſure, choaked up, and conſequently damaged by the caſting or throwing of Ballaſt, Rubbiſh, and Gravel into the ſame,—In order, therefore, to remedy this Inconvenience, be it further enacted by the Authority aforeſaid, that any Maſter, Owner

or Part Owner of any Ship, Veſſel or Boat, or any other Perſon whoſoever, that ſhall from and after the firſt Day of *Auguſt* next, caſt or throw, or cauſe to be caſt or thrown from any Ship, Veſſel or Boat, or from the Shore, any Ballaſt, Rubbiſh or Gravel, into any or either of the Harbours within theſe Iſlands, or land or place any Ballaſt, Rubbiſh or Gravel on the Shore adjacent to ſuch Harbours, or either of them, below High Water Mark, to the prejudice of ſuch Harbour, ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds Current Money, to be recovered by the Maſter and Wardens of the Port within whoſe Juriſdiction the injured Harbour ſhall be, or in caſe of their Neglect, by any other Perſon who ſhall ſue for the ſame, in any Court of Record within theſe Iſlands, the One Half of which Fine ſhall be to the uſe of the Perſon or Perſons ſuing for the ſame, and the other Half to his Majeſty, his Heirs and Succeſſors, for and towards ſupplying the Deficiency of the Fund eſtabliſhed by an Act, entitled, " An Act for raiſing a Public Revenue for the Support of " the Government of theſe his Majeſty's Iſlands."

And be it further enacted by the Authority aforeſaid, that the Juriſdiction of the Maſter and Wardens of the Port of St. George do extend to and include the ſeveral Harbours contained in the Pariſhes of St. George, Hamilton, Smith and Devonſhire; that of the Maſter and Wardens of Crow Lane the Pariſhes of Pembroke, Paget's and Warwick; and that of Ely's Harbour, the Pariſhes of Sandy's and Southampton.

And be it alſo enacted by the Authority aforeſaid, that this Act be and continue in force for and during the Term of Five Years, and then to determine and expire.

UNANIMOUSLY paſſed the Aſſembly this 9th Day of *May* 1789, and Ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 16th Day of *July* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 17th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

An ACT for the Puniſhment of THEFT within the ISLANDS of BERMUDA.

WHEREAS it is conceived that evil-diſpoſed Perſons may be effectually deterred from the commiſſion of Theft, by being obliged not only to make ample Reſtitution to the Parties injured, but to ſuffer corporal Puniſhment, We, therefore, your Majeſty's moſt dutiful and loyal Subjects the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that every White or other free Perſon who ſhall, from and after the firſt Day of *September* next, ſteal any Money, Goods, or Chattels, and ſhall be thereof convicted in any Court having cognizance of the Offence, ſhall forfeit treble the Value of the Money, Goods, or Chatels ſo ſtolen unto the Owner or Owners thereof, and be further puniſhed by Fine or Whipping, at the diſcretion of the Court or Juſtices that ſhall take cognizance of the ſame, not exceeding thirty-nine Laſhes. That in caſe of inability to make Reſtitution, or pay ſuch three-fold Damages, ſuch Offender be ſubjected to the neceſſity of making ſatisfaction by Service; and that the Court or Juſtices taking cognizance of ſuch Offence, be empowered, and they are hereby declared to be em-

powered to order ſuch Offender to be ſold or diſpoſed of in Service to any of his Majeſty's Subjects, for ſuch Term as ſuch Court or Juſtices ſhall ſee fit; and to compel a punctual diſcharge of ſuch Service by occaſional whipping, if need be.

AND be it further enacted by the Authority aforeſaid, that when and as often as any Offender ſhall be convicted ſolely on the Evidence of the Owner or Owners of the property ſtolen, the three-fold Forfeiture ſhall be applied, under the Direction of the Veſtry or Aſſeſſors, towards defraying the Charges of the Pariſh where the Theft ſhall be committed.

AND be it further enacted by the Authority aforeſaid, that this Act continue in force for the ſpace of Two Years, to be computed from the ſaid firſt Day of *September* next, and then to determine and expire.

VOTED and paſſed the Aſſembly this 16th Day of *July* 1789, and ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 17th Day of *July* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 17th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

An ACT to prolong an Act, entitled "An "Act for the Encouragement of the Whal- "ing and Fiſhing Buſineſs from theſe "Iſlands to diſtant Countries."

WHEREAS the ſaid Act, entitled "An Act for the "Encouragement of the Whaling and Fiſhing Buſi- "neſs from theſe Iſlands to diſtant Countries," was made and paſſed the thirteenth Day of *July* One Thouſand Seven Hundred and Eighty-ſeven, and was to continue in force for Two Years, and then to determine and expire; And Whereas it is deemed expedient to continue the Encouragement held out by the ſaid Act for a longer Period, We, your Majeſty's moſt dutiful and loyal Subjects, the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that the ſaid Act, entitled "An Act for the Encouragement of the "Whaling and Fiſhing Buſineſs from theſe Iſlands to diſtant "Countries," be prolonged, and the ſame is hereby declared to be prolonged, for the Term of Two Years from the thirteenth Day of *July*, One Thouſand Seven Hundred and Eighty-nine, and then to determine and expire.

VOTED and paſſed the Aſſembly this 6th Day of *May* 1789, and Ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 9th Day of *May* 1789.

JOHN HARVY, Preſident.

ASSENTED to the ſame Day.

HENRY HAMILTON.

BERMUDA.

An ACT authoriſing the ſeveral Pariſhes in theſe Iſlands to impoſe Taxes on any Dogs belonging to the Inhabitants or Reſidents within the ſame reſpectively.

WHEREAS Dogs are daily diſcovered to be more and more deſtructive to Poultry and other Stock, and it is conceived, that in addition to the Penalties impoſed on the Owners thereof by a Law, entitled "An Act for the Preven-"tion of Miſchief by Dogs," which paſſed the twenty-fifth Day of *May*, One Thouſand Seven Hundred and Eighty-five, and has been tranſmitted for his Majeſty's Royal Aſſent, it may be politic to authoriſe the ſeveral Pariſhes in theſe Iſlands to diſcountenance the keeping of Dogs, by impoſing annual Taxes on the Owners of the ſame, We, therefore, your Majeſty's moſt dutiful and loyal Subjects the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that from and after the firſt Day of *September* next, it ſhall and may be lawful for the Veſtry or Aſſeſſors of each and every Pariſh in theſe Iſlands to impoſe a yearly Tax, not exceeding

Three Shillings and Four-pence current Money, on each and every Dog belonging to any Inhabitant or Reſident in ſuch Pariſh, and to adopt ſuch Mode, and appoint ſuch Perſons for the Collection of the ſame as they ſhall ſee fit, or as is by Law directed, as to Parochial Aſſeſſments, and to apply the ſame towards defraying the contingent Charges of ſuch Pariſh.

AND be it further enacted by the Authority aforeſaid, that this Act be in force for the ſpace of Two Years from the ſaid firſt Day of *September* next, and then to determine and expire.

VOTED and unanimouſly paſſed the Aſſembly this 16th Day of *July* 1789, and ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 17th Day of *July* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 17th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

An ACT as well to repeal an Act, entitled " An Act for an Addition to and Amend- " ment of an Act, entitled " An Act to " prohibit any Perſons from retailing Rum " or Liquors publicly without Licence from " the Juſtice of the Peace," as one other Act, " entitled " An Act for altering, amend- " ing, explaining, and better enforcing an " Act, entitled " An Act for Addition to " and Amendment of an Act, entitled " An " Act to prohibit any Perſons from retail- " ing Rum or Liquors publicly without " Licence from the Juſtice of the Peace."

WHEREAS Difficulties have ariſen to the due execu- " tion of the above Act, entitled " An Act for an " Addition to and Amendment of an Act, entitled " An Act to prohibit any Perſons from retailing Rum or Liquors " publicly without Licence from the Juſtice of the Peace," which could not have been expected or foreſeen at the original paſſing of the ſame, and the wholeſome Intentions of the Legiſlature have been in a great meaſure thereby defeated,—In order, therefore, to remove ſuch Difficulties in future, by a ſubſequent Act more equal

to

to the Purpoſe, and to ſecure to the Uſes of the Public a Fund hitherto inefficient, but capable of being rendered not only productive in point of Revenue, but of very beneficial Tendency in reſpect to the Police, We, therefore, your Majeſty's moſt dutiful and loyal Subjects, the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that the ſaid Act, entitled "An Act for an Addition to and Amend-" ment of an Act, entitled "An Act to prohibit any Perſons from " retailing Rum or Liquors publicly without Licence from the " Juſtice of the Peace," and the ſaid other Act, entitled "An " Act for altering, amending, explaining and better enforcing an " Act, entitled "An Act for Addition to and Amendment of an " Act, entitled "An Act to prohibit any Perſons from retailing " Rum or other Liquors publicly without Licence from the Juſ-" tice of the Peace," be repealed, and the ſame are hereby declared to be repealed. Always provided, that this Act be not in force until the Royal Aſſent ſhall be had thereto and made known in theſe Iſlands.

UNANIMOUSLY paſſed the Aſſembly this 9th Day of *May* 1789, and Ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 16th Day of *July* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 17th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

An ACT for the better Regulation of the retailing of RUM and other ſpirituous LIQUORS within theſe ISLANDS.

WHEREAS the Laws heretofore enacted for the prohibition of the indiſcriminate retailing of Rum and other ſpirituous Liquors, have been found inadequate to the Purpoſes intended by the Legiſlature; and whereas an Act of the Legiſlature is now about to paſs, entitled "An "Act as well to repeal an Act, entitled "An "Act for an Addition to and Amendment of an Act, entitled "An Act to prohibit any Perſons from retailing Rum or Liquors "publicly without Licence from the Juſtice of the Peace," as "one other Act, entitled "An Act for altering, amending, ex-"plaining and better enforcing an Act, entitled "An Act for "Addition to and Amendment of an Act, entitled "An Act to "prohibit any Perſons from retailing Rum or Liquors without "Licence from the Juſtice of the Peace," We, therefore, your Majeſty's moſt dutiful and loyal Subjects the General Aſſembly f theſe your Majeſty's Bermuda or Somers' Iſlands, in America, o moſt humbly beſeech your Majeſty that it may be enacted, and e it enacted by your Majeſty's Governor, Council, and Aſſem-ly, and it is hereby enacted and ordained by the Authority of ne ſame, that from and after the Time when the Royal Aſſent

ſhall be had on the ſaid Act, entitled "An Act as well to repeal "an Act, entitled "An Act for an Addition to and Amend-"ment of an Act, entitled "An Act to prohibit any Perſons from "retailing Rum or Liquors publicly without Licence from the "Juſtice of the Peace," as one other Act, entitled "An Act for "altering, explaining, and better enforcing an Act, entitled "An "Act for Addition to and Amendment of an Act, entitled "An "Act to prohibit any Perſons from retailing Rum or Liquors "publicly without Licence from the Juſtice of the Peace," and ſuch Aſſent ſhall be made known in theſe Iſlands, it ſhall not be lawful for any Perſon or Perſons whatſoever, to vend, ſell, barter, exchange or retail any Quantity of Rum, or other ſpirituous diſtilled Liquors, leſs than Thirty Gallons, to be delivered at one and the ſame time, and not by Parcels, or any Quantity of Punch, Grog, Toddy or other mixture of Rum, or other ſpirituous diſtilled Liquors, without Licence of the Juſtice of the Peace firſt obtained in the manner herein after directed, under pain of forfeiting for every Offence the Sum of Five Pounds current Money, to be recovered by any Perſon or Perſons who will ſue for the ſame, as in Actions of Debt not exceeding Forty Shillings, the one Half whereof ſhall be to the Perſon ſuing for the ſame, and the other Half to the Uſes and Purpoſes of this Act.

And be it further enacted by the Authority aforeſaid, that from and after the Period above-limited, it ſhall and may be lawful for any Juſtice of the Peace in theſe Iſlands to grant to any white Perſon applying for the ſame, a Licence for the retailing of Rum or other ſpirituous diſtilled Liquors, either mixed or unmixed, in a Houſe therein to be particularly ſpecified, for Twelve Calendar Months next enſuing the Date of the ſame, on his or her paying the Sum of Five Pounds current Money, together with Six Shillings and Eight-pence like Money for the Juſtices Fees, and entering into a Recoghizance, with two Sureties, in the Sum of Twenty-five Pounds each, and himſelf or herſelf the Sum of Fifty Pounds like current Money, with Condition in the Words following, to wit,—The Condition of the above Recognizance is ſuch that if the ſaid A. B. during the time of his continuing to retail Rum or other ſpirituous Liquors, as well mixed as unmixed, within ——— Pariſh, in theſe Iſlands, purſuant to a Licence this Day granted him, ſhall not ſuffer any Rioting or other Diſorder in his ſaid Houſe, but ſhall obſerve Decency, Moderation, and Sobriety during the Period aforeſaid, then the above Recognizance to be void

void, or otherwiſe to remain in full force, power and virtue.—Always provided, that it ſhall be lawful for the Juſtice of the Peace to grant, on the Conditions herein before expreſſed, a Licence for ſix Months only, on the Receipt of Two Pounds Ten Shillings like Money, over and above the Juſtices Fees limited, and entering into Recognizance as aforeſaid.

AND be it alſo enacted by the Authority aforeſaid, that from and after the Period above limited, the ſeveral Juſtices of the Peace in theſe Iſlands be obliged, and they are hereby ſeverally and reſpectively required to furniſh the Treaſurer with a Liſt of the ſeveral Perſons to whom they ſhall have granted Licences as aforeſaid, within twenty Days next enſuing the granting of the ſame, together with the Names of the Houſes and Pariſhes wherein ſuch Retailers may reſide, for inſertion in the Bermuda Gazette; and alſo to pay to the ſaid Treaſurer the Monies by them received for Licences as aforeſaid.

AND be it further enacted by the Authority aforeſaid, that all Monies ariſing by virtue of this Act, whether by Fine, Forfeiture or otherwiſe, not herein before diſpoſed of, be to his Majeſty, his Heirs and Succeſſors, for and towards ſupplying the Deficiency of the Fund eſtabliſhed by an Act, entitled "An Act for raiſing a "Public Revenue for the Support of the Government of theſe his "Majeſty's Iſlands."

UNANIMOUSLY paſſed the Aſſembly this 9th Day of *May* 1789, and Ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 16th Day of *July* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 17th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

AN ACT

To prolong an Act, entitled "An Act for "Encouraging the CULTIVATION of COT-"TON within theſe Iſlands, by granting, for "a limited Time, a Bounty on all cleaned "Cotton of the growth thereof, which ſhall "be during ſuch Time exported from hence "to Great Britain."

WHEREAS the above recited Act, entitled "An Act for Encouraging the Cultivation of "Cotton within theſe Iſlands, by granting, "for a limitted Time a Bounty on all cleaned "Cotton of the growth thereof, which ſhall "be during ſuch Time exported from hence "for Great Britain," was made and paſſed the thirteenth Day of *July*, One Thouſand Seven Hundred and Eighty-ſeven, and was to continue in force for and during the Term of two Years, and then to determine and expire; and whereas the ſaid Act, although of conſiderable utility, yet is about to expire, We, therefore, your Majeſty's moſt dutiful and loyal Subjects, the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands,

in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that the ſaid Act, ſo entitled "An Act for En-"couraging the Cultivation of Cotton within theſe Iſlands, by "granting, for a limited Time, a Bounty on all cleaned Cotton of "the growth thereof, which ſhall be during ſuch Time exported "from hence for Great Britain," be prolonged, and the ſame is hereby declared to be prolonged for the Term of Two Years, and then to determine and expire.

VOTED and paſſed the Aſſembly this 6th Day of *May* 1789, and Ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 9th Day of *May* 1789.

JOHN HARVY, Preſident.

ASSENTED to ſame Day.

HENRY HAMILTON.

BERMUDA.

AN ACT

To repeal an Act, entitled "An Act for the "Security of the Subject, to prevent the "Forfeiture of Life and Eſtate upon killing "a Negro or other Slave."

WHEREAS, although no Inſtance can be adduced of any Perſons having claimed the Benefit of the ſaid Act, entitled "An Act for the Security of the Subject, to "prevent the Forfeiture of Life and Eſtate upon killing a Negro "or other Slave," and the ſame is generally conſidered as obſolete, yet it is right to place a Queſtion of ſuch a Nature beyond the poſſibility of a Doubt, We, therefore, your Majeſty's moſt dutiful and loyal Subjects, the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that the ſaid Act, entitled "An Act for the Security of the Subject, to prevent "the Forfeiture of Life and Eſtate upon killing a Negro or other Slave," be repealed, and the ſame is hereby declared to be repealed. And that this Act be not in force until his Majeſty's Pleaſure be had thereon and made known in theſe Iſlands.

VOTED and unanimouſly paſſed the Aſſembly this 16th Day of *July* 1789, and ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 17th Day of *July* 1789.

JOHN HARVY, Preſident.

ASSENTED to this 17th Day of *July* 1789.

HENRY HAMILTON.

BERMUDA.

AN ACT

to repeal an Act, entitled "An Act for the Security of the Subject, to prevent the Forfeiture of Life and Estate upon killing a Negro or other Slave."

WHEREAS, although no Inference can be adduced of any Persons having claimed the Benefit of the said Act, entitled "An Act for the Security of the Subject, to prevent the Forfeiture of Life and Estate upon killing a Negro or other Slave," and the same is generally considered as obsolete, it is right to place a Question of such a Nature beyond the Possibility of a Doubt. We, therefore, your Majesty's most dutiful Subjects, the General Assembly of these your Majesty's Islands or Bermuda, in America, do most humbly beseech Your Majesty that it may be enacted, and be it enacted by your Governor, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, that the said Act, entitled "An Act for the Security of the Subject, to prevent the Forfeiture of Life and Estate upon killing a Negro or other Slave," be repealed, and the same is hereby declared to be repealed. And that this Act be not in force until his Majesty's Pleasure be thereon and made known in these Islands.

VOTED and unanimously passed, the Assembly this 18th Day of July 1789, and ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by this Council this 19th Day of July 1789.

JOHN HARVY, President.

Assented to this 19th Day of July 1789.

H. HAMILTON.

BERMUDA.

AN ACT

For regulating the ELECTION of MEMBERS to ſerve in the General Aſſembly; fixing the Qualifications of Candidates and Electors; and aſſimilating the Practice of the Somers' Iſlands in thoſe Points as nearly as Circumſtances and Situation will allow, to that of the Parent State.

WHEREAS the Mode of proceeding which ſhould be adopted in reſpect to the Election of Members to ſerve in General Aſſembly within theſe Iſlands is, from the want of legal Regulation, liable to be controverted, and much Inconvenience has been thence derived to the Public, as well as to Individuals; In order, therefore, to remove in future the Difficulties which have heretofore ſubſiſted, and to render the Conduct of Returning Officers, Candidates and Electors eaſy and certain, by aſſimilating, as nearly as Situation and Circumſtances will allow, the Conduct of this Colony to the wiſe and ſalutary Examples of the Parent State, We, your Majeſty's moſt dutiful and

loyal Subjects, the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that when any new Aſſembly ſhall at any Time hereafter be ſummoned or called, there ſhall be forty Days between the Teſte and Return of the Writs therefor; and that the Writs for Election of Members in the ſame Aſſembly, as well upon the calling or ſummoning any new Aſſembly, as in caſe of any Vacancy during the preſent or any future Aſſembly, ſhall be iſſued from the Secretary's Office with as much Expedition as may be, and delivered to the proper Officers to whom the execution thereof doth belong or appertain, and to no other Perſon or Perſons whatſoever; and that every ſuch Officer, upon the Receipt of a Writ as aforeſaid, ſhall upon the Back thereof endorſe the Day on which he ſhall have received the ſame, and ſhall proceed to Election thereupon within the Space of Ten Days, at the moſt public and uſual Place of Election within the Pariſh, and where the ſame has moſt uſually been for Forty Years laſt paſt, giving Three Days Public Notice at leaſt of the Time and Place appointed for ſuch Election; and in caſe the ſaid Election ſhall not be determined upon the view with the Conſent of the Freeholders there preſent, but that a Poll ſhall be required for the determination thereof, then the Officer aforeſaid ſhall forthwith proceed to take the ſaid Poll at the Place aforeſaid, and to ſet down the Name of each Freeholder, and for whom he ſhall poll, and to poll no Freeholder who ſhall not be duly qualified for the Purpoſe in the manner herein after-preſcribed, and ſhall appoint, on being thereto required, for each Candidate who ſhall have previouſly eſtabliſhed the requiſite Qualification under this Act, ſome one Perſon to be nominated by ſuch Candidate for inſpecting the manner of taking the ſaid Poll, and ſhall at the ſame Place of Election proceed to the polling all the Freeholders then and there preſent; and ſhall not adjourn to any other Place within the Pariſh, or elſewhere, without the Conſent of all the Candidates, but ſhall duly and orderly proceed in the taking the ſaid Poll from Day to Day, and from Time to Time, until all the Freeholders tendering themſelves for the Purpoſe ſhall be polled, and no longer; and on the completion of the ſaid Poll, ſhall make a Return agreeably thereto, and in conformity to the Tenor of the Writ for Election; and ſhall forthwith deliver to the Candidate or Candidates, or any Perſon or Perſons in his or their behalf, deſiring the ſame, a Copy

of the Poll taken at ſuch Election; he or they paying a reaſonable Charge only for writing ſuch Copy. Always provided, that ſuch Returning Officer ſhall, previous to any Adjournment, make Proclamation of the Hour when the Poll ſhall be opened on the Day of Adjournment, and of its continuance on that Day; and that it is the Intention of this Act, that when a reaſonable Time ſhall be afforded to every qualified Freeholder in theſe Iſlands to attend for the purpoſe of giving his Vote in caſe he ſhall ſee fit, the Poll ſhall be finally cloſed, and no longer kept open on any Account, Score or Pretext whatever.

And be it enacted by the Authority aforeſaid, that no Perſon or Perſons ſhall be capable of voting in Election of a Member to ſerve in General Aſſembly, who ſhall not be twenty-one Years of Age, and poſſeſs in his own Right within the Pariſh to be repreſented, or receive the Profits thereof, a Freehold rated at the laſt public Aſſeſſment at not leſs than Forty Pounds, and be regiſtered as a Freeholder of ſuch Pariſh, and of the foregoing Deſcription one Month previous to the Teſte of the Writ for ſuch Election, and in the manner herein after-mentioned. Always provided that a Freehold of the preceding Value, coming by Deſcent, Marriage, Marriage Settlement, Will or Promotion to a Benefice or Office, ſhall entitle the Holder to be immediately regiſtered, and to vote as a Freeholder at any State of the Poll whatever; and that more Perſons than one ſhall not be admitted to vote for any one Freehold, except they ſhall each poſſeſs an Intereſt therein rated in the manner above-mentioned, at not leſs than Forty Pounds; and that in Mortgaged or Truſt Eſtates the Perſon in Poſſeſſion, under the Limitations aforeſaid, ſhall have and be entitled to the Vote.

And be it enacted by the Authority aforeſaid, that the Name of every Perſon holding a Freehold of the preceding Deſcription, ſhall, within ten Days after the Completion of any public Aſſeſſment, in which ſuch Freehold ſhall have been rated as above-mentioned, be regiſtered in a Book to be keeped for the Purpoſe, or in the one in which Aſſeſſments and other Parochial Tranſactions are generally entered by thoſe who ſhall have made or ſubſcribed to ſuch public Aſſeſſment as a Freeholder entitled to vote under this Act at an Election of Members to ſerve in General Aſſembly, particularly diſtinguiſhing from the reſt the Freeholds rated in ſuch Aſſeſſment at not leſs than Two Hundred Pounds; and that in Failure thereof the ſaid Aſſeſſors ſhall ſeverally forfeit and pay the

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Sum of Ten Pounds to the Freeholder ſo not regiſtered.——Always provided, that any Perſon acquiring a Freehold within any Pariſh of theſe Iſlands, by Deſcent, Purchaſe, or otherwiſe, ſhall have the Privilege of tendering to the Veſtry or Aſſeſſors of ſuch Pariſh, Proof of ſuch Requiſition, and of the Value thereof, being agreeable to the Stipulations of this Act, and on eſtabliſhment of ſuch Proof, ſhall be regiſtered in the manner above-mentioned, and entitled to vote at an Election as aforeſaid; and the Veſtry or Aſſeſſors failing to receive ſuch Proof, and to regiſter in conſequence thereof, ſhall forfeit and pay to ſuch Freeholder the like Penalty as in Caſes of Failure to regiſter after completion of an Aſſeſſment in the manner above-mentioned.

And be it enacted by the Authority aforeſaid, that no Perſon under twenty-one Years of Age, an Alien born, not poſſeſſing in his own Right within the Pariſh, or receiving the Profits thereof a Freehold rated at the laſt public Aſſeſſment at not leſs than Two Hundred Pounds, or being the Officer executing the Writ for Election, ſhall be capable of being elected to ſerve as a Member in the General Aſſembly; and that all Eſtates and Conveyances whatſoever made to any Perſon or Perſons, in any fraudulent or colluſive manner or purpoſe, to qualify him or them to ſerve in General Aſſembly, or to give his or their Vote or Votes at an Election of Members for that Purpoſe (ſubject nevertheleſs to Conditions or Agreements to defeat or determine ſuch Eſtate, or to recovery of the ſame) ſhall be deemed and taken againſt thoſe Perſons who executed the ſame as free and abſolute, and be holden and enjoyed by all and every ſuch Perſon or Perſons, to whom ſuch Conveyance ſhall have been made as aforeſaid, freely and abſolutely acquitted, exonerated and diſcharged of and from all manner of Truſts, Conditions, Clauſes of Re-entry, Powers of Revocation, Proviſoes of Redemption, or other Defeazances whatſoever between or with the ſaid Parties or any other Perſon or Perſons in Truſt for them; and that all Bonds, Covenants, Collateral or other Securities, Contracts or Agreements between or with the ſaid Parties, or any other Perſon or Perſons in Truſt for them, or any of them, for the redeeming, revoking, or defeating ſuch Eſtate or Eſtates, or for the reſtoring or recovering thereof, or any Part thereof, to any Perſon or Perſons who made or executed ſuch Conveyance, or to any other Perſon or Perſons in truſt for them, or any of them, ſhall be null and void to all Intents and Purpoſes whatſoever, and that every Perſon who ſhall make and execute ſuch Conveyance or Con-

veyances

veyances, as aforeſaid, or being privy to ſuch Purpoſe, ſhall deviſe or prepare the ſame; and every Perſon who by Colour thereof ſhall ſuffer himſelf to be elected to ſerve in General Aſſembly, or give any Vote at any Election of any Member or Members to ſerve therein, ſhall for every ſuch Conveyance ſo made, or Vote ſo created or given, forfeit the Sum of Twenty-five Pounds to any Perſon who ſhall ſue for the ſame. Always provided, that all Writs for the Election of Repreſentatives to ſerve in Aſſembly, be directed to the Juſtice or Juſtices of the Peace for the reſpective Pariſhes, who are hereby declared to be obliged to execute the ſame, unleſs ſuch Juſtices ſhall be Candidates for the enſuing Election, in which Caſe the Writ ſhall be by them delivered to any neighbouring Juſtice not a Candidate, with a Certificate under the Hands and Seals of the Juſtices named in the Writ, ſhewing the Cauſe of ſuch Delivery; and that any neighbouring Juſtice, on the receipt of any ſuch Writ, be obliged to execute the ſame under ſimilar Pains and Penalties as if the Writ had been at firſt directed to him.

AND be it enacted by the Authority aforeſaid, that every Officer to whom the Execution of a Writ for Election of Members to ſerve in General Aſſembly doth belong, ſhall for every wilful Offence, contrary to this Act, forfeit to the Party aggrieved the Sum of One Hundred Pounds; and that the ſame, and all other Fines, Forfeitures, and Penalties, impoſed by this Act, and not herein otherwiſe particularly directed, be recoverable by the Perſon or Perſons to whom the ſame are herein before-aſſigned, or by his or their Executors or Adminiſtrators, together with full Coſts of Suit, by Bill, Plaint, or Information, in any Court of Record within theſe Iſlands, wherein no Eſſoin, Protection, Wager of Law, Privilege or Imparlance, ſhall be admitted. Always provided, that every Action, Suit, or Information, under this Act, ſhall be commenced within the Space of ſix Kalendar Months after the Fact upon which the ſame may be grounded ſhall have been committed; and that this Act be not in force until his Majeſty's Pleaſure ſhall be had thereon and made known within theſe Iſlands.

UNANIMOUSLY paſſed by the Aſſembly this 6th Day of *May* 1789, and Ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 9th Day of *May* 1789.

JOHN HARVY, Preſident.

ASSENTED to ſame Day.

HENRY HAMILTON.

BERMUDA.

AN ACT

To enable the Holders of ſmall Parcels of Land within the Bermuda Iſlands, in Fee Tail, to alter the ſame to Fee Simple, and directing the Mode of doing the ſame.

WHEREAS many ſmall Parcels of Land within theſe Iſlands, held in Fee Tail, can be of little Uſe to the Holders, unleſs improved at an Expence much exceeding the original Value, and the Property employed in ſuch Improvements may be, from the preſent Tenure, conveyed in a manner contrary to the Intereſt of the Families of ſuch Holders, and as the Lands are of themſelves unequal to the Expence of ſuch Proceſs as has been had in the Courts of Law and deemed requiſite to bar an Eſtate Tail, and from ſuch Conſiderations have remained neglected and unemployed, to the general Damage of the Community, as well as of the Proprietors; in order, therefore, to remedy ſuch Inconveniencies, and to remove as much as may be, all Bars to the Improvement of the landed Intereſt of the Country, We, your Majeſty's moſt dutiful and loyal Subjects, the General Aſſembly of theſe your Majeſty's Bermuda or Somers' Iſlands, in America, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor,

Governor, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, that it ſhall and may be lawful for any Perſon ſeized of an Eſtate in Fee Tail, in any Parcel of Land within theſe Iſlands, not exceeding Five Acres, to alter ſuch Eſtate from Fee Tail to Fee Simple, by executing a Deed of Bargain and Sale, Feofment or Leaſe and Releaſe, and recording the ſame in the Secretary's Office, and that immediately thereupon the Grantee in ſuch Deed named ſhall ſtand and be ſeized of an Eſtate in Fee Simple in ſuch Parcel of Land in ſuch Deed deſcribed.—Always provided, that nothing in this Act contained ſhall be conſtrued to confirm or better an original Title, but ſimply to eſtabliſh the Mode of altering an Eſtate from Fee Tail to Fee Simple. Alſo always provided, that any Conveyance to be executed in conſequence of this Act, by any Feme Covert, be accompanied with the Requiſites mentioned in the Act, entitled "An "Act directing what Conveyances ſhall be ſufficient to paſs the "Real Eſtates of Women under Coverture."——And alſo always provided, that this Act ſhall not be in force until his Majeſty's Pleaſure ſhall be had thereon and made known in theſe Iſlands.

UNANIMOUSLY paſſed by the Aſſembly this 8th Day of *May* 1789, and Ordered to be laid before the Council for Concurrence.

JAMES TUCKER, Speaker.

CONCURRED to by the Council this 9th Day of *May* 1789.

JOHN HARVY, Preſident.

ASSENTED to 15th Day of *July* 1789.

HENRY HAMILTON.